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Voted at Meeting of 5/15/80

BOARD OF APPEAL REFERRALS May 15, 1980

1.	Z-4687	Exxon Company, USA 1465 VFW Parkway, West Roxbury
2.	Z-4693-4697	Salvatore Pantano 95 & 97 Riverview Road, Brighton
3.	Z-4694	Leola Murphy 217 Norfolk Street, Dorchester
4.	Z-4696	Terrence Jánerico 42 Fayette Street, Boston
5.	Z-4713	Merchants Tire Co., Inc. 1295-1299 Boylston Street, Boston
6.	Z-4725	Lizio-Mac Trust 606 Tremont Street & 111 West Dedham Sts., Boston
7.	Z-4743	McDonald's Corporation 1272-1300 Boylston Street, Boston

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY MAY 15, 1980

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 6/24/80

Gas Service Station

Z-4687
Exxon Company, USA
1465 VFW Parkway, West Roxbury
near Spring Street

District(s): apartment_____ general business B-1 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

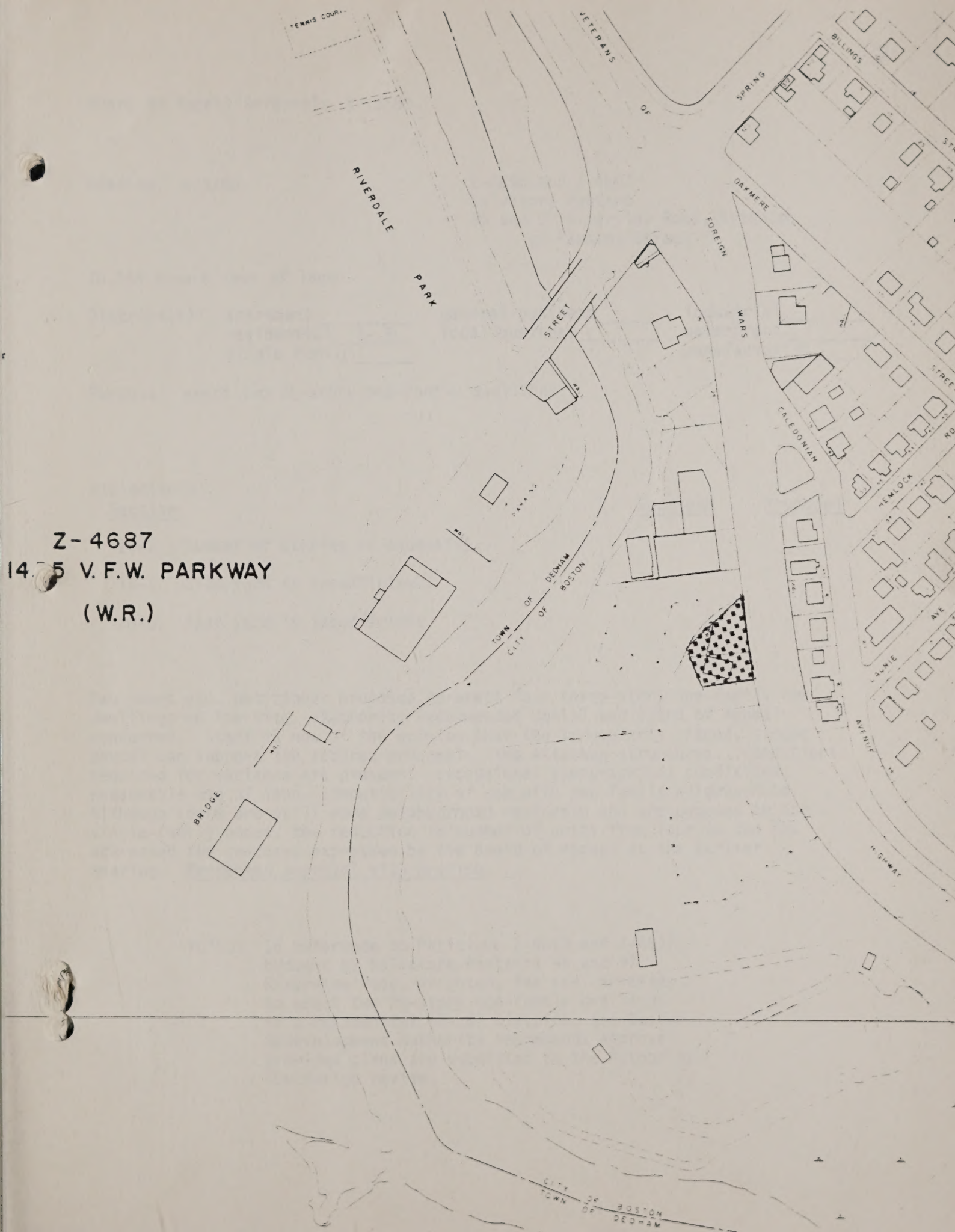
Purpose: Erect one-story gas service station.

Violation(s):

Section		Required	Proposed
8-6	Change in a conditional use requires Board of Appeal hearing.		

Existing facility will be demolished and new "split island" (Self-service - Attendant operated pumps) station erected as part of general modernization program. Gas station has continuously operated at site since 1942. Recommend approval with proviso.

VOTED: In reference to Petition Z-4687, brought by Exxon Company, USA, 1465 VFW Parkway, West Roxbury, for a conditional use to erect a one-story gas service station in a General Business (B-1) District, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.



Z-4687

14[illegible]5 V.F.W. PARKWAY

(W.R.)

Board of Appeal Referrals 5/15/80

Hearing: 6/3/80

Z-4693 and Z-4697
Salvatore Pantano
95 and 97 Riverview Road, Brighton
at Parsons Street

10,169 square feet of land

District(s):			
apartment_____	general business_____	industrial_____
residential R-.5	local business_____	waterfront_____
single family_____		manufacturing_____

Purpose: erect two 2½-story one-family dwellings.

Violation(s):

Section		Required	Proposed
16-1.	Number of stories is excessive.		
19-1.	Side yard is insufficient.		
20-8.	Rear yard is insufficient.		

Two years ago, petitioner proposed to erect four three-story one-family row dwellings on the site. Authority recommended denial and Board of Appeal concurred. Staff is now of the opinion that the irregularly shaped, sloped parcel can support the reduced proposal: two attached structures. Conditions required for variance are present: exceptional topographical conditions, reasonable use of land, compatibility of use with two-family neighborhood. Although there are still some neighborhood residents who are opposed to these single-family homes, the reduction in number of units from four to two has addressed the concerns expressed by the Board of Appeal at the earlier hearing. Recommend approval with proviso.

VOTED: In reference to Petitions Z-4693 and Z-4697, brought by Salvatore Pantano, 95 and 97 Riverview Road, Brighton, for six variances to erect two 2½-story one-family dwellings in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

EXTENSION
STREET
WALL
RAILROAD
BOSTON & ALBANY BRANCH
RIVERVIEW ROAD
BROOKSDALE
CORINNE ROAD
HANLEIGH
FALKLAND
CRESTHILL ROAD
ELECTRIC
CONVERSE ST
(PROPOSED STREET)
NILES STREET
DONNYBROOK
NEWCASTLE
FANEUIL RD.
MADELINE ROAD
BARKER STH
Z-4693 & 4697
95-97 RIVERVIEW RD.
(BRI.)

Board of Appeal Referrals 5/15/80

Hearing: 6/3/80

Z-4694
Leola Murphy
217 Norfolk Street, Dorchester
near Rock Avenue

2 1/2 story structure.

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from two-family dwelling to one-family dwelling and twelve lodgers.

Violation(s):

Section	Required	Proposed
8-7. Lodging house is conditional in an R-.8 District.		

Neighborhood has been impacted by widespread abandonment and subsequent demolition; however it is now beginning to stabilize. Petitioner purchased house from HUD as lodging house. Proposal will legalize existing condition. Little City Hall and We Can Neighborhood Improvement Association support proviso for two year period. Recommend approval with proviso.

VOTED: In reference to Petition Z-4694, brought by Leola Murphy, 217 Norfolk Street, Dorchester, for a conditional use for change of occupancy from two-family dwelling to one-family dwelling and twelve lodgers in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval with proviso that use terminate in two years to permit reassessment of neighborhood impact.

Z-4694
217 NORFOLK ST.
(DOR.)

Board of Appeal Referrals 5/15/80

Hearing: 6/3/80

Z-4696
Terrence Janerico
42 Fayette Street, Boston
near Church Street

Three-story structure

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Legalize occupancy - three apartments and accessory Adult Education (Gourmet Cooking School).

Violation(s):

Section	Required	Proposed
8-7. Trade, professional or other school is conditional in an H-2 District.		

Site is situated in a congested residential neighborhood with limited parking. Further encroachment of non-conforming uses is undesirable. Bay Village Neighborhood Association is opposed. Recommend denial.

VOTED; In reference to Petition Z-4696, brought by Terrence Janerico, 42 Fayette Street, Boston, for a conditional use to legalize occupancy for three apartments and accessory adult education (Gourmet Cooking School) in an Apartment (H-2) District, the Boston Redevelopment Authority recommends denial. Site is situated in a congested residential neighborhood with limited parking. Further encroachment of non-conforming uses is undesirable.

Z-4696
42 FAYETTE ST.
(B.P.)
CORNING
TURNPIKE
ARLINGTON ST
HERALD
STREET
COMPTON
TREMONT
ALBION
EMERALD
MIDDLESEX
SHAWMUT
WATERFORD
HARRISON
WASHINGTON
WILLIAM E MULLINS
CHERRY STREET PLAYGROUND
TOBIN PLAY AREA
HIGGINS RILEY PLAYGROUND
COBB
MAYO
CHERRY ST
(TOLL)
BROADWAY
CURVE
EXT
NEW HAVEN
BOSTON
PURPER
PERKINS
WHEELER ST
BROADWAY
AVENUE
MARRETTA
OAK
PINE
JOHNNY
NASSAU
FAYETTE
BAY ST

Board of Appeal Referrals 5/15/80

Hearing: 6/10/80

Z-4713
Merchants Tire Co.,Inc.
1295-1299 Boylston Street,
Boston
at Jersey Street

Two-story structure.

District(s):					
	apartment		general business	B-2	industrial	
	residential		local business		waterfront	
	single family				manufacturing	M-2

Purpose: Erect one-story addition (103' x 246') to tire storage and service structure.

Violation(s):

Section		Required	Proposed
9-1.	Extension of a non-conforming use requires Board of Appeal hearing.		

Area is commercial. Addition would be constructed on roof of existing facility and used for storage and inspection of auto tires. No objections. Recommend approval with design review.

VOTED: In reference to Petition Z-4713, brought by Merchants Tire Co., Inc., 1295-1299 Boylston Street, Boston, for an extension of a non-conforming use to erect a one-story addition to a tire storage and service structure in General Business (B-2) and Manufacturing (M-2) Districts, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-4713
1295-1299 BOYLSTON ST.
(B.P.)
VAN NESS
PARKING AREA
KILMARNOCK
STREET
AVENUE
FULLERTON
HANNING AREA
BOYLSTON
PETERBOROUGH
MARTIN MILMORE SCHOOL (E.)
SEVENTH DAY ADVENTIST TEMPLE & SCHOOL
PARKING AREA
SEARS & ROEBUCK CO
PARK

Board of Appeal Referrals 5/15/80

Hearing: 6/10/80

Z-4725
Lizio-Mac Trust
606 Tremont & 111 West
Dedham Sts.,Boston

4 1/2-story structure

District(s): apartment H-3 general business industrial
residential local business waterfront
single family manufacturing

Purpose: Change occupancy from three apartments and cafe to eight apartments.

Violation(s):

Section	Required	Proposed
8-7. Any dwelling converted for more families which does not meet the requirement of open space is forbidden in an H-3 District.		
17-1. Open space is insufficient.		

Building is vacant, fire damaged and an eyesore to the community. There are no objections to proposed restoration, rehabilitation, conversion. Recommend approval with proviso.

VOTED: In reference to Petition Z-4725, brought by Lizio-Mac Trust, 606 Tremont & 111 West Dedham Streets, Boston, for a forbidden use and a variance for change of occupancy from three apartments and cafe to eight apartments in an Apartment (H-3) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-4725
606 TREMONT ST.
111 WEST DEDHAM ST.
(B.P.)
TREMONT
WEST NEWTON
PEMBROKE
WEST
BROOKLINE
MONTGOMERY PARK
DARTMOUTH
UNION PK
UNION
PARK
AVENUE
WALTHAM
HANSON
STREET
DEDHAM
IVANHOE
PLAYGROUND
SHAWMUT
WASHINGTON
PARKING AREA
SQUARE
ALLEY
PLACE
TER

Board of Appeal Referrals 5/15/80

Hearing: 6/3/80

Z-4743
McDonald's Corporation
1272-1300 Boylston Street,
Boston
near Jersey Street

One-story addition.

District(s): apartment_____ general business B-2 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Erect one-story addition to restaurant; use premises for parking for fee.

Violation(s):

Section		Required	Proposed
8-7.	Drive-in restaurant is conditional in a B-2 District.		
9-1.	Extension of a non-conforming use requires Board of Appeal hearing.		

Last year a similar proposal was denied by the Board of Appeal with Authority concurrence. Petitioner has since met and reviewed plans with community residents and Little City Hall. Provisions have been made for adequate vehicular storage to prevent congestion. Remaining neighborhood concerns will be treated by design review. Recommend approval with proviso.

VOTED: In reference to Petition Z-4743, brought by McDonald's Corporation, 1272-1300 Boylston Street, Boston, for a conditional use and extension of a non-conforming use to erect a one-story addition to a restaurant and use premises for parking for fee in a General Business (B-2) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

BURLINGTON
AVENUE
STREET
JERSEY
AVENUE
IPSWICH
INTERNAL
REVENUE
SERVICE
STREET
FULLERTON
STREET
IPSWICH
STREET
VAN NESS
PARKING AREA
STREET
KILMARNOCK
BROOKLINE
STREET
PARKING
AREA
BOYLSTON
MARTIN MILMORE
SCHOOL (L)
SEVENTH
DAY
ADVENTIST
TEMPLE
& SCHOOL
DRIVE
STREET
PETERBOROUGH
Z-4743
1272-1300 BOYLSTON ST.
(B.P.)
STREET
PARK
ROSE
GARDEN